

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,163	06/26/2001	Michael Vito Catania	60,130-1123	2398
26096	7590 02/26/2003			
	, GASKEY & OLDS, MAPLE ROAD	P.C.	EXAM	INER
SUITE 350			BURCH, MELODY M	
BIRMINGHAM, MI 48009			ART UNIT	PAPER NUMBER
			3683	
			DATE MAILED: 02/26/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.



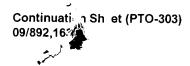
## **Advisory Action**

		_
Application No.	Applicant(s)	
09/892,163	CATANIA, MICHAEL VIT	0
Examin r	Art Unit	
Melody M. Burch	3683	

-- The MAILING DATE of this communication appears on the cov r sheet with the correspondence address --

THE REPLY FILED 03 February 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in

condi Exam	tion for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued innation (RCE) in compliance with 37 CFR 1.114.
	PERIOD FOR REPLY [check either a) or b)]
a) [ b) [	The period for reply expires 3 months from the mailing date of the final rejection.  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).
have be 37 CFF (b) abov	Actensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension feedens filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension feed under R 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in vee, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any patent term adjustment. See 37 CFR 1.704(b).
1. 🖾	A Notice of Appeal was filed on <u>12 February 2002</u> . Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2.🛛	The proposed amendment(s) will not be entered because:
(a	) L they raise new issues that would require further consideration and/or search (see NOTE below);
(b	)  they raise the issue of new matter (see Note below);
(c)	)
(d)	) 🔲 they present additional claims without canceling a corresponding number of finally rejected claims.
	NOTE:
3.	Applicant's reply has overcome the following rejection(s):
4.	Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5.🛛	The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet</u> .
6.	The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7.⊠	For purposes of Appeal, the proposed amendment(s) a) $\boxtimes$ will not be entered or b) $\square$ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
	The status of the claim(s) is (or will be) as follows:
	Claim(s) allowed: 6 and 16.
	Claim(s) objected to:
	Claim(s) rejected: <u>1-5,7-15 and 17-21</u> .
	Claim(s) withdrawn from consideration:
8. 🗌 🤚	The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.
9. 🗌 1	Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)
0.	Other:
	·
Date et e	od Todomod Office
ratent at	nd Trademark Office



Continuation of 5. does NOT place the application in condition for allowance because: Applicant based the second After Final amendment filed 2/3/03 on the entry of the first After Final amendment filed 1/13/03, however, Examiner notes that the first After Final amendment was not entered. Examiner will consider a revised After Final amendment based on the claims of paper no. 3 upon its receipt.

mmb 2/13/03

MATTHEW C. GRAHAM
PHILLIPHY EXAMINER
GROUP 310